PATENT

Appl. No.: 10/527,557

Amdt. dated December 16, 2009

Response to Restriction Requirement & Preliminary

Amendment

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

- Claim 1. (Currently amended) A system comprising capreomycin and a device for introducing said the capreomycin into gases for inhalation by a person in need thereof.
- Claim 2. (Currently amended) A <u>The</u> system of claim 1, wherein said <u>the</u> capreomycin is introduced into said <u>the</u> gases as a solution, a suspension, a powder, or a spray.
- Claim 3. (Currently amended) A <u>The</u> system of claim 1, wherein said <u>the</u> device is a nebulizer, a metered dose inhaler, or a dry powder inhaler.
- Claim 4. (Currently amended) A <u>The</u> system of claim 3, wherein said <u>the</u> nebulizer is selected from the group consisting of a heated nebulizer, an ultrasonic nebulizer, a gas nebulizer, a venturi nebulizer, and a refillable nebulizer.
- Claim 5. (Currently amended) A <u>The</u> system of claim 1, wherein said <u>the</u> capreomycin is introduced into said <u>the</u> gases in an average particle size of between 1 and 10 microns
- Claim 6. (Currently amended) A The system of claim 5, wherein said the capreomycin has an average particle size of between 2 and 6 microns.
- Claim 7. (Currently amended) A <u>The</u> system of claim 5, wherein said <u>the</u> capreomycin has an average particle size of about 3 to about 5 microns.
- Claim 8. (Currently amended) A <u>The</u> system of claim 1, wherein said <u>the</u> capreomycin is provided as a powder.

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Claim 9. (Currently amended) A <u>The</u> system of claim 8, wherein said <u>the</u> capreomycin is introduced into said <u>the</u> gases in an average particle size of between 1 and 10 microns.

Claim 10. (Currently amended) A <u>The</u> system of claim 9, wherein said <u>the</u> capreomycin has an average particle size of about 3 to about 5 microns.

Claim 11. (Original) A formulation of capreomycin suitable for aerosol administration.

Claim 12. (Currently amended)

A <u>The</u> formulation of capreomycin of claim

11, wherein said the capreomycin has an average particle size between 1 and 10 microns.

Claim 13. (Currently amended)

A <u>The</u> formulation of capreomycin of claim

12, wherein <u>said the</u> capreomycin is complexed or associated with a polysaccharide.

Claim 14. (Currently amended) A method of inhibiting the growth of Mycobacterium tuberculosis ("MTB"), said the method comprising the step of introducing capreomycin into gases to be inhaled by a patient in need thereof.

Claim 15. (Currently amended)

A The method of claim 14, wherein said the capreomycin is introduced into said the gases as a solution, a suspension, a powder, or a spray.

Claim 16. (Currently amended)

A The method of claim 14, wherein said the capreomycin introduced into said the gases in an average particle size of between 1 and 10 microns.

Claim 17. (Currently amended) A <u>The</u> method of claim 14, wherein said <u>the</u> capreomycin is complexed or associated with a polysaccharide.

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Claim 18. (Currently amended) A <u>The</u> method of claim 14, wherein said <u>the</u> capreomycin is introduced into said <u>the</u> gases by a nebulizer, a metered dose inhaler, or a dry powder inhaler.

Claim 19. (Currently amended) A <u>The</u> method of claim 18, wherein said the nebulizer is selected from the group consisting of a heated nebulizer, an ultrasonic nebulizer, a gas nebulizer, a venturi nebulizer, and a refillable nebulizer.

Claim 20. (Currently amended) A method of inhibiting the growth of Mycobacterium tuberculosis ("MTB") in a patient, seid the method comprising the step of administering to a lung of seid the patient aerosolized capreomycin, wherein seid the capreomycin inhibits the growth of MTB in seid the patient.

Claim 21. (Currently amended) A <u>The</u> method of claim 20, wherein said <u>the</u> capreomycin is administered to said <u>the</u> lung as a solution, a suspension, a powder, or a spray.

Claim 22. (Currently amended) A <u>The</u> method of claim 20, wherein said <u>the</u> capreomycin is administered to said lung by a nebulizer, a metered dose inhaler, or a dry powder inhaler.

Claim 23. (Currently amended) A The method of claim 22, wherein said the nebulizer is selected from the group consisting of a heated nebulizer, an ultrasonic nebulizer, a gas nebulizer, a venturi nebulizer, and a refillable nebulizer.

Claim 24. (Currently amended) A The method of reducing infectivity of a person infected with Mycobacterium tuberculosis ("MTB"), said the method comprising the step of administering to the lung of said the person aerosolized capreomycin, wherein said the capreomycin reduces the infectivity of said the person.

Claim 25. (Currently amended)

A The method of claim 24, wherein said the capreomycin is administered to said the lung as a solution, a suspension, a powder, or a spray.

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Claim 26. (Currently amended) A <u>The</u> method of claim 24, wherein said <u>the</u> capreomycin is administered to said <u>the</u> lung by a nebulizer, a metered dose inhaler, or a dry powder inhaler.

Claim 27. (Currently amended) A <u>The</u> method of claim 26, wherein said the nebulizer is selected from the group consisting of a heated nebulizer, an ultrasonic nebulizer, a gas nebulizer, a venturi nebulizer, and a refillable nebulizer.

Claim 28. (Original) A use of capreomycin for manufacture of a medicament for aerosolized administration to a lung as a solution, a suspension, a powder, or a spray.

Claim 29. (Currently amended). A <u>The</u> use of claim 28, wherein said <u>the</u> medicament is suitable for delivery to said <u>the</u> lung by a nebulizer, a metered dose inhaler, or a dry powder inhaler.

Claim 30. (Original) A formulation of lyophilized capreomycin having an average particle size of from about 1 to about 10 microns.